

Dennis Olson
State Bar No. 15273500
OLSON NICOUD & GUECK, L.L.P.
10440 N. Central Expwy, Suite 1100
Dallas, Texas 75231
(214) 979-7302 – Telephone
(214) 979-7301 – Facsimile
Email: denniso@dallas-law.com

ATTORNEYS FOR CJ COMU

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:	§	
	§	
CENGIZ J. COMU a/k/a	§	CASE NO. 09-38820-sgj-7
Debtor.	§	CHAPTER 7

**OBJECTION TO TRUSTEE’S MOTION FOR RECOVERY OF FEES AND EXPENSES
PURSUANT TO 11 U.S.C. § 506(c) AND TO AUTHORIZE DISBURSEMENT OF
REMAINING SALE PROCEEDS**

TO THE HONORABLE STACEY G.C. JERNIGAN,
UNITED STATES BANKRUPTCY JUDGE:

NOW COMES CJ Comu (“Comu”), and files this his Objection to *Trustee’s Motion for Recovery of Fees and Expenses Pursuant to 11 U.S.C. § 506(c) and to Authorize Disbursement of Remaining Sale Proceeds* [DE 145], and in support thereof would respectfully show the Court as follows:

1. Comu objects to the Court’s ruling that the Paladium Property had been abandoned by the Debtor and the Debtor’s wife as a homestead.
2. At a hearing held February 29, 2016, the court approved the sale of the Paladium Property, and an order was entered on the same date.
3. Comu has appealed the court ruling that the property was abandoned. That appeal

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is pending in the U.S. District Court.

4. Under Section 363 of the Bankruptcy Code, Comu's claim attaches to the proceeds.

5. The Court should not distribute the proceeds until Comu's claim of homestead is ultimately resolved.

WHEREFORE, PREMISES CONSIDERED, Comu prays the Court deny the Trustee's Motion without prejudice to refiling after Comu's claim of homestead has been resolved.

Respectfully submitted,

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By: /s/ Dennis Olson

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was served upon all parties receiving notice electronically, on the 3rd day of April, 2016.

/s/ Dennis Olson

Dennis Olson

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